

## **TITLE 16. SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY BOARD**

NOTICE IS HEREBY GIVEN that the Speech-Language Pathology and Audiology Board is proposing to take the action described in the Informative Digest. No public hearing has been scheduled on the proposed action. However, any interested person or such person's duly authorized representative may request, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Section 11346.8. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on December 10, 2007. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Business and Professions Code Section 2531.95 to implement, interpret or make specific Sections 2538.1 and 2538.7 of the Business and Professions Code, the Board is considering changes to Division 13.4 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The Board is authorized by Business and Professions Code Section 2531.95 to adopt regulations necessary to implement the Speech-Language Pathology and Audiology Licensure Act.

The proposed amendment of Section 1399.152.2 deletes the references to an equivalent supervisor standard as that of national certification and instead replaces the standard with the requirement that practitioners, who are operating as clinical supervisors in board-approved training programs located outside of California, must hold the legal authorization to practice speech-language pathology or audiology, as the case may be, in the state where the experience is being obtained.

Deletes the references to antiquated language regarding the clinical rotation training for students completing clinical preparation within the university training program. Existing subsection (d) references twenty-five hours of clinical preparation that must be obtained in aural rehabilitation under the supervision of a speech-language pathologists or audiologists. The term "aural rehabilitation" is somewhat of a nebulous term that holds different meaning depending upon the user of the term. Board-approved training programs no longer track nor require a specified number of clinical hours in aural rehabilitation and therefore, the regulation requirement does not represent contemporary training standards. The amendment to existing subsection (e), now referenced as (d) is a minor grammatical change.

The proposed adoption of Section 1399.153 existing language provides for board-approved supervisors who oversee the required professional experience of applicants who are completing the requisite clinical experience in another state but who wish to qualify such experience toward California licensure. The proposed amendment strikes the language defining a qualified clinical supervisor, who is providing supervision in another state, as one who holds a national

certification issued by the American Speech-Language-Hearing Association (ASHA), and instead defines the “qualified” clinical supervisor, operating in another state, as one who holds the legal authorization to practice in the state where the experience is being obtained. The national certification standard referenced in existing regulations no longer reflects the highest professional standard for the profession of audiology and, as such, has restricted many experienced and highly qualified audiology supervisors from serving in the supervisory role because they no longer pay a fee to maintain the ASHA certification. Further, the national certification does not legally authorize speech-language pathologists and audiologists to provide professional services as almost every state regulates the practice of speech-language pathology and audiology through state licensure. As such, the provision should be amended to acknowledge the legal authorization to practice and supervise as the primary supervisor qualification.

In addition, the section has been amended to include a requirement that all supervisors engage in continuing professional development specific to supervision training both prior to assuming responsibility as a required professional experience supervisor and every two-years thereafter. Such continuing professional development may be applied toward the general continuing education requirements for license renewal provided the professional development activity is obtained by a board-approved provider. The new provision will ensure that all practitioners interested in assuming the role as a qualified supervisor will be exposed to minimum level of supervision training prior to serving in the supervisor capacity. This requirement should better prepare new supervisors for their responsibility. The provision also provides for refresher supervision training so that supervisors may refine their oversight skills and continue to grow as professional mentors.

### **FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

### **AND**

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Private Persons or Entities: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

## **EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulatory action would not affect small businesses as the action applies to individuals.

## **CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## **TEXT OF THE PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Speech-Language Pathology and Audiology Board at 1422 Howe Avenue, Suite 3, Sacramento, CA 95825.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

## **CONTACT PERSON**

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Annemarie Del Mugnaio, Executive Officer
Address:	1422 Howe Avenue, Suite 3 Sacramento, CA 95825
Telephone No.:	(916) 263-2909
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E-Mail Address:	<a href="mailto:annemarie_delmugnaio@dca.ca.gov">annemarie_delmugnaio@dca.ca.gov</a>

The backup contact person is:

Name:	Candace Raney, Board Analyst
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Website Access: Materials regarding this proposal can be found at [www.slpab.ca.gov](http://www.slpab.ca.gov).